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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

URIEL SOTELO-PATINO,

Defendant.

CASE NO. 1:23-CR-00013-NODJ-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: January 24, 2024
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on January 24, 2024.
2. By this stipulation, defendant now moves to continue the status conference until April 24, 2024, and to exclude time between January 24, 2024, and April 24, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports, numerous photographs and videos, cellular phone extractions, and other investigative materials. This discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to consult with his client, conduct further investigation, review the discovery, prepare for a possible trial, and continue to explore a potential resolution of the case, including reviewing a plea offer made by the government.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of January 24, 2024 to April 24, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: January 11, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ JUSTIN J. GILIO
JUSTIN J. GILIO
Assistant United States Attorney

Dated: January 11, 2024

/s/ Nicholas Reyes

Nicholas Reyes

Counsel for Defendant

Uriel Sotelo-Patino

ORDER

IT IS SO ORDERED that the status conference is continued from January 24, 2024, to **April 24, 2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv). **However, in any request for a continuance, the parties shall explain when they will be ready to set a trial date.**

IT IS SO ORDERED.

Dated: January 17, 2024

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE